

To : Fairfax County Board of Supervisors

From : Gerry Hyland, Supervisor
Mount Vernon District

Subject: **BOARD MATTERS for April 30, 2013**

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For your consideration, I submit the following Board Matters accompanied by a brief explanation. Your support will be appreciated.

- 1. Request to Authorize a Referendum on a Food and Beverage Tax**
- 2. Where the Sidewalk Ends**

1. Request to Authorize a Referendum on a Food and Beverage Tax

Background

The Fairfax County Board of Supervisors has cleared its plate with the approval of the Fiscal Year 2014 Budget. As was clearly evidenced during our budget discussions, the county is still over reliant on the real estate tax rate to provide revenues for our schools, public safety, human services and other critical services and programs. The Board of Supervisors, after our Board Retreat, established a priority that we would keep taxes affordable for our residents. The Board also has a goal to diversify our tax base and revenue sources.

For the ateth time, I ask my fellow Board members, who after so many attempts may now be bored members, to support a motion to place a food and beverage tax on the November ballot for our residents to vote on. A food and beverage tax would bring in between \$80 and \$100 million a year in new revenue. Almost all surrounding jurisdictions have implemented a food and beverage tax. In the FY 2014 budget, one penny on the tax rate equates to \$20.65 million. The Board of Supervisors could make a commitment to lower our real estate tax rate by one or two cents and still have funding for critical projects.

I believe the Board of Supervisors should pledge to our residents that if this motion passes, and if they approve a food and beverage tax referendum, the Board will lower the real estate tax rate, help support our schools, build new artificial turf fields, expand Head Start, support our transit networks or do any combination of tax relief, construction, renovation or programmatic support or expansion our residents, county staff and Board of Supervisors support. I hope the Fairfax County Chamber of Commerce and Restaurant Association will work with the Board to discuss this proposal in a meaningful dialogue as to how best to balance our budget and minimize adverse impacts on the restaurant industry.

Proposed Action

Therefore, Madam Chairman, I move that the Board of Supervisors add a meals tax referendum to the November 2013 ballot in accordance with § 58.1-3833.

I further move that the Board of Supervisors direct staff to file the proper petitions and plain English statement with the Courts and Department of Justice.

I further move, should the above motions pass, that staff prepare a list of projects or programs the Board could select for funding with new revenues in addition to a reduction in the real estate tax rate for our Fiscal Year 2015 budget.

Attachment

2. Where the Sidewalk Ends

Background

Recently, my Trails and Sidewalks representative wrote to me to express his concern about how staff is interpreting the Public Facilities Manual (PFM) regarding the construction of trails or sidewalks. In the Mount Vernon District, residents have submitted simple subdivision plans in older, established neighborhoods where no trails or sidewalks exist. Public Works staff has not signed off on sidewalk waivers for these two developments citing a recent amendment to the PFM that requires an “undue hardship” before staff can approve a waiver. In these two neighborhoods new trails or sidewalks would be out of character with the surrounding community. No other large lots exist that would permit sidewalk connections nor could be developed without the intervention of a public works project.

I support trails and sidewalks, but not in locations where the community doesn’t want them or where they will not connect to anything. I would rather have the developer escrow the cost of construction and use that money elsewhere to build sidewalks near schools or to fulfill our comprehensive trails plan. I believe staff needs to take action on these applications. If the PFM is overly restrictive, they should bring the item to the Development Process Committee for our discussion.

Proposed Action

Therefore, Madam Chairman, I move that the Board of Supervisors direct the County Executive to review this issue and the PFM amendment and report back to the Board with his recommendations.